

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

LINDA M. O.,<sup>1</sup>

Plaintiff,

v.

CIVIL ACTION NO. 2:21cv126

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**FINAL ORDER**

On November 18, 2021, Plaintiff's Motion for Summary Judgment, Memorandum of Law in Support of Social Security Appeal, and Notice of Waiver of Oral Argument were filed. ECF Nos. 18, 19, 20. Defendant, the Commissioner of the Social Security Administration ("the Commissioner"), filed a Cross-Motion for Summary Judgment and Memorandum in Support on November 17, 2021. ECF Nos. 21, 22. Plaintiff filed a Reply thereto on December 8, 2021. ECF No. 23.

On December 9, 2021, these motions were referred to United States Magistrate Judge Robert J. Krask, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b), to conduct necessary hearings, including

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<sup>1</sup> In accordance with a committee recommendation of the Judicial Conference, plaintiff's last name has been redacted for privacy reasons. Comm. On Ct. Admin. & Case Mgmt. Jud. Conf. U.S., Privacy Concern Regarding Social Security and Immigration Opinions 3 (2018).

evidentiary hearings, if necessary, and to submit to the undersigned district judge proposed findings of fact, if applicable, and recommendations for the disposition of the matter. See ECF No. 14 (case referral order).

The United States Magistrate Judge's Report and Recommendation ("R&R") was filed on May 4, 2022. ECF No. 24. The R&R recommends that Plaintiff's Motion for Summary Judgment be denied, the Commissioner's Motion for Summary Judgment be granted, the decision of the Commissioner be affirmed, and the matter be dismissed with prejudice.


By copy of the R&R, the parties were advised of their right to file written objections to the findings and recommendations made by the Magistrate Judge within fourteen (14) days of the date of service of the R&R to the objecting party. See id. at 29. Plaintiff filed Objections on May 16, 2022, ECF No. 25, and the Commissioner's Response was filed on May 31, 2022, ECF No. 26.

The court, having reviewed the record in its entirety and the Objections to the R&R, and having made de novo determinations with respect thereto, hereby **OVERRULES** the Plaintiff's Objections, and **ADOPTS AND APPROVES IN FULL** the findings and recommendations set forth in the Magistrate Judge's thorough and well-reasoned R&R, filed on May 4, 2022.

ECF No. 24. Accordingly, Plaintiff's Motion for Summary Judgment is **DENIED**, and the Commissioner's Motion for Summary Judgment is **GRANTED**. The decision of the Commissioner is **AFFIRMED**, and this matter is **DISMISSED WITH PREJUDICE**.

The Clerk shall enter judgment in favor of the Commissioner and close the case on this court's docket. The Clerk is **DIRECTED** to send a copy of this Final Order to counsel for all parties.

IT IS SO ORDERED.

/s/   
Rebecca Beach Smith  
Senior United States District Judge

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REBECCA BEACH SMITH  
SENIOR UNITED STATES DISTRICT JUDGE

June 2, 2022